DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY _____ COMMONWEALTH OF PENNSYLVANIA
DATE January 18, 1979
RDS ☐ or XDS ☐ EXT. DATE _____
TS AUTH. _____ REASON (S) 2044
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☐ RELEASABLE ☒
RELEASE DENIED ☐
PA or FOI EXEMPTIONS _____

501 12-67

OCS

SUBJECT: Burial of Jonestown Bodies

TO: Llewellyn P. Ireland, Director
Bureau of Health Data Systems

FROM: Steven H. Sailer
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through: John H. Cuthbertson
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The aftermath of the Jonestown tragedy continues. The Federal government still has possession of the Jonestown bodies pending their disposition. Pennsylvania has been designated as a state in which the bodies will be disposed. The Department of State contacted Charles Hardester to determine the status of Pennsylvania law concerning the burial and cremation of bodies in Pennsylvania where death has occurred outside of the Commonwealth. Specifically, the question has been raised whether the documentation which accompanies these bodies is sufficient to allow them to be buried or cremated in Pennsylvania. This interrogatory must be answered in the affirmative.

The Pennsylvania Vital Statistics Law of 1953 provides:

> When a death or fetal death occurs outside of this Commonwealth and the dead body or fetal remains are accompanied by a permit for burial, removal or other disposition, issued in accordance with the law and regulations in force where the death or fetal death occurred, the permit shall authorize transportation into or through this Commonwealth and burial or other disposition of the dead body or fetal remains within this Commonwealth, without the endorsement of a local registrar of this Commonwealth. Act of June 29, 1953, P.L. 304, Art. V, § 505, 35 P.S. § 450.601.

The question is then raised whether Guyana has, in fact, issued such a permit. The Solicitor General of Guyana issued the following Opinion:

> Upon request by the Embassy of the United States of America in Guyana, I state that under the laws and applicable regulations of Guyana, the certificates of death being prepared for the victims of the Jonestown incident are sufficient to permit cremation or burial in Guyana.

Opinion of the Solicitor General of Guyana - the Jonestown Incident - Certificates of Death, December 9, 1978.

Clearly, the death certificates issued by the government of Guyana are sufficient to permit burial or cremation in Guyana. Accordingly, they come within the purview of 35 P.S. § 450.505. The death certificates meet the requirement that the dead body be accompanied by a permit for burial, removal or other disposition. Therefore, the necessary documentation is present in the Guyanese death certificates and burial or cremation should be permitted in Pennsylvania.

SHS:JHC:bm